

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE HERLEY INDUSTRIES INC.
SECURITIES LITIGATION

No. 06-CV-2596 (JRS)

**PLAINTIFFS' MOTION IN LIMINE TO PRECLUDE DEFENDANTS
FROM INTRODUCING EVIDENCE OR TAKING POSITIONS CONTRARY
TO HERLEY'S PRIOR GUILTY PLEA**

Plaintiffs hereby move, pursuant to Rules 103(c) and 403 of the Federal Rules of Evidence, the December 31, 2009 declaration of Ira M. Press, Esq., and plaintiff's accompanying Memorandum of Law, for an order *in limine* precluding defendants from introducing evidence or taking positions contrary to Herley's prior guilty plea in *United States of America v. Blatt, et al.*, No. 06 Cr. 268 (E.D. Pa.). The grounds for the Motion are set forth in the accompanying Memorandum of Law, which is incorporated by reference.

Dated: December 31, 2009
New York, New York

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